REMARKS

Claims 61-73 have been rejected by the Examiner. Claims 61and 73 have been amended. In response, no claims have been amended or canceled. Accordingly, claims 61-73 remain pending.

CLAIM REJECTIONS - 35 U.S.C. §103

1. On page 2 of the above-identified Office Action, claims 62, 63, and 73 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,959,207 (hereinafter "Keinonen") in view of U.S. Patent No. 6,348,860 (hereinafter "Davis").

Indepdent claim 73 is amended to recite a mobile electronic communication device comprising:

> "a transceiver;
> a touch-screen display; and
> a processor unit coupled to the transceiver and touch-screen display, wherein the processor unit is configured to cause a light unit to light a selected one of a plurality of virtual light sources on the touch-screen display to indicate receipt of a message from a source, with a selected one of the virtual light sources manifesting an appearance of being illuminated, wherein the source of the message being one of a plurality of sources, at least two of the plurality of sources being correspondingly associated with at least two of the plurality of virtual light sources."

Supports of above amendments may be found on page 9, lines 5-20 of the instant specification.

When viewed as a whole, amended claim 73 teaches a mobile device which is able to indicate the source of a received message by rendering a light unit to make a selection among a plurality of virtual light sources. Specifically, amended claim 1 recites that there are plural sources of messages so that a selection is needed among plural associated virtual light sources for the purpose of representing the corresponding sources of the messages.

To support rejection, the Examiner cites Figures 2-3 and col. 4, lines 51-65 of Davis as teaching "to indicate receipt of a message from a source," and further states that when emergency is triggered from a source, one of the LED lights up to indicate the source where the emergency occurs. However, applicants respectfully disagree.

In Davis, even if the programmable controller 114 may be assumed arguendo as the processor, the status display 116 may be assumed arguendo as the light unit, the indicators on the status display 116 may be assumed arguendo as the virtual light sources, and the signal from the emergency signal processing device 102 to the computer device 124 may be assumed arguendo as the message received, it fails to teach or suggest that "a light unit to light a selected one of a plurality of virtual light sources on the touch-screen display to indicate receipt of a message from a source." This is because all the signals sent to the computer device 124 are from the sole source which is the emergency signal processing device 102.

Even though the display 116 in Davis is configured to light up indicators corresponding to areas with emergency switches (SW1-SW38) turned on, these switches are not sources of the signal sent to the computer device 124. This is because switching status of each emergency switch SW1-SW38 is not directly forwarded to the computer device 124 as the signal. Rather, the emergency signal processing device 102 provides to the computer device 124 the signal comprising instructions based on the switching status of the switches. So, Davis fails to teach or suggest each and every element of amended claim 73.

Keinonen is cited as teaching of the transceiver, touch-screen display and the processor of claim 73, which does not cure the above-stated deficiency of Davis. So Applicants submit that the combination of Keinonen and Davis fails to teach or suggest each and every element of amended claim 73.

Applicants further submit that there would have been no motivations to modify Davis to achieve what is recited in claim 73. One of the purposes of Davis is to automatically report an evacuation status of the affected area to a command center. The burden to identify which area is affect is on the detector 122, rather than on the computer device 124 which is responsible to display the evacuation status. So, incorporating to Davis the undisclosed feature of the processor in claim 73 and letting the computer device 124 to identify the source of the received signal is meaningless and would have no contribution to its purpose.

Accordingly, Applicants submit that claim 73 is patentable over Keinonen and Davis under §103(a).

Claims 62 and 63 depend from claim 73, incorporating its limitations. Thus, for at least the same reasons as claim 73, claims 62 and 63 are patentable over Keinonen and Davis under §103(a).

2. On page 4 of the above-identified Office Action, claim 61 is rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis as applied to claim 73 and further in view of U.S. Patent No. 4,975,694 to *McLaughlin et al.* (hereinafter "McLaughlin").

McLaughlin does not cure the above discussed deficiencies of Keinonen and Davis. Accordingly, claim 73 remains patentable even when Keinonen and Davis are combined with McLaughlin. Claim 61 depends from claim 73, incorporating its limitations. Thus, claim 61 is patentable over Keinonen, Davis, and McLaughlin under §103 for at least the same reasons that claim 73 is.

3. On page 5 of the above-identified Office Action, claims 64-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis as applied to claim 73 and further in view of U.S. Patent No. 6,753,842 to *Williams et al.* (hereinafter "Williams").

Williams does not cure the above discussed deficiencies of Keinonen and Davis. Accordingly, claim 73 remains patentable even when Keinonen and Davis are combined with Williams. Claims 64-71 depend from claim 73, incorporating its limitations. Thus, claims 64-71 are patentable over Keinonen, Davis, and Williams under §103 for at least the same reasons that claim 73 is.

Further, col.1, lines 41-49 of Williams is cited by the Examiner as teaching "the manifested modulated light has a manifested color that depends on the relative age of a received message" as recited in claim 65. However, the cited portion of Williams only discloses a display light may be selectively enabled by an enable signal. It does not necessarily mean that the light may be modulated to be a specific color to represent a specific message. So, Williams fails to teach or suggest each and every recitation in claim 65.

Col.4, lines 1-21 of Williams is cited by the Examiner as teaching "the manifested modulated light has a manifested blinking rate that indicates a number of unread messages received from a contact" as recited in claim 66. However, the cited portion of Williams only

discloses the backlight controller may be programmed to enable the backlight at fixed timing. It doesn't necessarily mean that when the light is enabled it blinks at a certain rate to indicate a number of unread messages from a contact. So, Williams fails to teach or suggest each and every recitation in claim 66.

Davis is cited as teaching of the processor, light unit, virtual light sources in claims 61-73, and Keinonen is cited as teaching of the transceiver, touch-screen display and the processor of claims 61-73, none of which can cure the above-stated deficiency of William. So, the combination of Keinonen, Davis, and Williams fails to teach or suggest each and every element of claims 65 and 66.

And there would have been no motivation to modify Williams to achieve what are recited in claims 65 and 66, since William does not care about the color and blinking rate of the light. These features are unrelated and would not have contribution to William's purpose which is to provide wireless communication device that provides backlighting for enhanced readability and conserves battery power.

So, Applicants submit that claims 65-66 are patentable over the combination of Keinonen, Davis, and Williams under §103(a).

4. On page 7 of the above-identified Office Action, claim 72 is rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis and McLaughlin as applied to claim 61 and further in view of Williams.

Williams does not cure the above discussed deficiencies of Keinonen, Davis, and McLauglin. Accordingly, claim 61 remains patentable even when Keinonen, Davis, and McLaughlin are combined with Williams. Claim 72 depends from claim 61, incorporating its limitations. Thus, claim 72 is patentable over Keinonen, Davis, McLaughlin, and Williams under §103 for at least the same reasons that claim 61 is.

DOUBLE PATENTING

On page 8 of the above-identified Office Action, claims 61-73 are rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-31 of prior U.S. Patent No. 6,720,863 (hereinafter '863) (of which the present application is a continuation). As noted by the

Examiner, this is a statutory-type double patenting rejection. Accordingly, the Examiner asserts that claims 61-73 claim the "same invention" as claims 1-31 of '863. Specifically, the Examiner points out on page 8 of the above-identified Final Office Action that all of the limitations of claim 73 of the instant application are disclosed by claims 1 and 19 of '863.

Applicants have amended claim 73 and respectfully submit that amended claim 73 is patentable under §101 with regards to claims 1 and 19 of '863. Claims 61-72 depend from claim 73 and accordingly are also patentable under §101 for at least the same reason.

CONCLUSION

In view of the foregoing, reconsideration and allowance of claims 61-73 is solicited in light of the arguments and amendments herein. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: May 2, 2008

by: /Robert C. Peck/
Robert C. Peck
Reg. No.: 56,826

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97222
Telephone: 503-222-9981